

WIXOM LAKE ASSOCIATION

BOARD OF DIRECTORS MEETING

October 10, 2020

The meeting was called to order at 10:00 AM. Due to Covic-19 restrictions, the meeting was held outdoors at the Billings Township Community Park on Lakeview Drive.

Board members present were: Larry Woodard-President, Susi Najmowicz-Secretary and Directors Bill Faust, Doug Hill, James Lambert, Gary Oliver and Len Pytlak. Rick McGibbon-Vice President, Mark Mudge-Treasurer and Directors Bob Beltz and Don Zakett were excused. Director Dave Rothman arrived late. There were approximately 30 people in the audience.

Everyone rose for the recitation of the Pledge of Allegiance.

A motion was made, seconded and approved to accept the agenda as presented.

The board reviewed the minutes from the September 12, 2020 meeting. A motion was made, seconded and passed to accept the minutes as presented.

Larry reported Mark has been moved to Alma about a week and a half ago for rehab and is in good spirits. Our treasury currently has \$17,033.48 in checking and \$43,884.37 in savings. We received a donation of \$15,810 from the golf outing sponsored by the Membership/Social Committee.

Dirk Meister updated the Membership/Social Committee report. The committee tries to hold monthly meetings except in November and December. Bob and Tami O'Donnell are hosting a CORNHOLE FUNdraiser Tournament October 17th at the Albright Shores Eagles from 1-5 PM. From 6-10 PM there will be a concert featuring Josh Sanders from Nashville. The social committee will be meeting with the WLA board immediately after this meeting.

The secretary reported we currently have 684 members.

The Four Lakes Task Force update was moved to the end of the agenda awaiting Dave Rothman's arrival.

Since there was no Old Business to discuss, Sid Hansen then began his presentation. He distributed copies of his proposal to board members. Sid worked with Dave Rothman and Don Zagett over the summer regarding the Edenville Dam Project. He proposed the Wixom Lake Association commission a new "working group" called the Edenville Dam Working Group dedicated to "value engineering" that delivers more for less: 1. Define the project scope, 2. Reduce the project costs and 3. Accelerate the project timelines. He briefly explained who he was and outlined his professional work experience as a chemical engineer and in the US Army Corps of Engineers. The Edenville Dam Working Group (EDWG) would be a small working group of Wixom Lake property owners dedicated to "value engineering" of the Edenville Dam Project until the lake level returns. It would be composed of 3 to 5 members that reports to the Wixom Lake Association.

He explained the Edenville Dam Project has the largest FLTF project cost, involves the most property owners and is regulated by the State of Michigan. He identified three opportunities: 1. Start collecting the FLTF district assessments for operations, maintenance, engineering design and pre-construction, 2. Incorporate the project work in the Emergency Order by Michigan EGLE that stabilizes the dam for public

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safety in 2020, and 3. Incorporate MDOT project work for M-30 Causeway Bridge in 2020. Sid stressed the fact to Dave and Don that the Edenville Dam Project needs a Project Manager.

Sid reported under the current project description, the Edenville Dam Project has ½ PMF spillway capacity at a preliminary cost of \$208 million by 2026. Under the WLA resolution/revised project description, the Edenville Dam Project has full PMF spillway capacity at a preliminary cost of \$60 million by 2023. Sid proposed a motion to commission the Edenville Dam Working Group and support the revised project.

Doug thanked Sid for his presentation. He agreed everyone is trying to find solutions and thinks we need to give the FLTF the best information and possible solutions. Jim pointed out 2 problems: the court condemnations are proceeding but not yet completed and the FLTF still has forensic experts coming in to explain why this happened. Gary expressed his appreciation for all the time and work Sid did, but is hesitant to move forward alone. The State of Michigan has taken over ownership on the Tobacco side and the SAD presents complications, so he proposes we table the motion. A motion was made to table Sid's motion until our next meeting/next year. The motion was seconded and passed.

A question arose on the impact of the SAD when selling property within its boundaries. Brian Gardner, a realtor, pointed out there are water assessments and drain assessments on properties and 95% of the time the buyer assumes any assessments on the property they are purchasing. Sid pointed out the EDWG is not an opposition group but a group to represent owners for best options and offers. He feels the FLTF is not doing that. Opportunities are occurring they aren't using or addressing.

Dave Rothman arrived and began the Four Lakes Task Force update—specifically the projected amount of the assessment for Wixom Lake property owners. When you take the dollar amount times the number of years, the resulting cost is very high--sometimes more than the property is worth. The amounts that have been suggested were based on preliminary information and pulled together on short notice for court hearings. The FLTF is looking into way to reduce the cost. Currently, State of Michigan law limits funding to run for no more than 30 years. The legislature would have to agree to make a change to extend the time frame to 40 years. Financing through the Department of Agriculture would be at a rate of 3% interest, while the USDA charges 1%. A feasibility study needs to be set up to look at rebuilding in different ways. They are also looking for federal grants and/or large donations from foundations. The more the people they are going to for financial assistance are seeing what this project will cost, the more they are motivated to help. Seventy-five per cent of the work being done to stabilize the Tobacco side dam is being financed by State and Federal funding. The FLTF doesn't have all the facts yet on how the assessment will work when people are selling their property. The assessment has 2 parts: 1. An on-going assessment for operating the dams and 2. The capital investment used to rebuild the dams.

The current SAD guidelines apply to lakefront property owners and deeded back lot properties. If you have 300' or less frontage, that is treated as one assessment. If you own property on the lake and also own a back lot, you are only assessed on the lakefront property. If you own vacant land with no lake access, there is no assessment. The FLTF will be reviewing the assessment process. They also are required to hold 2 public meetings, after which people can file a protest if they think mistakes have been made. They are aware they need to keep reviewing the cost so people won't be driven off their property. Road ends present a different set of problems, which they are looking at. They have made mistakes and have made changes and will keep investigating situations as they arise.

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Don reported he attended a meeting yesterday on the project to remove the debris behind the Sanford Dam. It's going to be about a half-million dollar project. They are sorting the debris looking for identification numbers or information that would make it possible to find the owners. In December, they hope to begin removing debris from the Sanford and Wixom Lake bottoms. They are checking to see if the National Guard could do it as a training exercise. So far, volunteers have removed 200 pontoons from the Sanford lake bottom.

In mid-July, the Wixom lake bottom was barren; then the rains came and it turned green. He's been in contact with people from Missouri who are experienced with this problem. They offered two possible choices: using brush hogs to cut down the growth (\$80-\$100/acre) or aerial spraying. We have 2,000 acres that need to be taken care of by the middle of next summer. We can't just let the wild trees keep growing until the dam is back, some are already 8' tall. Control burns might be acceptable with EGLE, if done correctly. At Sanford, the Jerome Twp. Lake Improvement Board is considering using the money from their weed assessment to cover some of the cost. The WLIB program is designated for aquatic weeds. What we now have are terrestrial weeds. They would have to hold public meetings to change the use designation of the money. The Tobacco Twp. board has frozen the use of their funds. The Tobacco side currently has more water and less weeds and trees. However, when the water is lowered things will change. The FLTF is working with multiple sources to obtain funding/grants for multiple problems: erosion, re-contouring the lakebed, banks in front of houses, moving/removing sediment and sand, cutting down the tree "spikes" that were underwater, removing tree stumps, etc.

The Edenville bridge has been fixed. Work is being done to replace the M-30 bridge. MDOT wants M-30 open by December. New bridge abutments are being put in and they plan to install a "temporary" bridge. EGLE is focusing on stabilizing the dam. They want to build spillways at the dam and Tobacco side that are larger and better. On the Tobacco river side they want two spillways: one with gates and the second a passive overflow. Two studies are currently being done.

The State of Michigan has put together a Dam Safety Task Force (ASDSO)—which replaces the Dam Safety Commission it eliminated in 2005. The ASDSO issued a peer review statement 50 pages long of recommendations, some of which will affect how we have to rebuild our dam. They said the state needs to have 11 people, not 2, dedicated to dam safety. Their report is on the EGLE website. We will try to put it on our website.

The FLTF does not have project managers for the 4 dams yet. Secord and Smallwood Lakes will get them first. Currently Spicer Engineering is overseeing Wixom and Sanford Lakes projects. Eventually, they will get project managers.

Following the condemnation order, Boyce Hydro declared 2 LLCs bankrupt. The judge lifted his stay to allow inspections of all four dams (with Boyce's permission). A crew of 20 people was assembled with representatives from EGLE, Spicer Engineering, CGI, FLTF, Dow retirees and NRCS to inspect the 4 dams. Boyce has an option to contest the need for the State to take the dams—or not. EGLE has ordered Boyce to fix hazardous situations. EGLE is working on their own designs to stabilize areas before the spring run-off occurs. The EGLE task force has run into problems with getting FERC to share information with them and the State of Michigan.

A Thank You was extended to everyone for all their time and hard work.

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The meeting adjourned at 11:48 AM.